

## Environmental Protection Agency

## § 52.870

part of the applicable state plan for the state of Iowa for sources wishing to locate on Indian lands; sources constructed under permits issued by EPA; and certain sources as described in Iowa's April 22, 1987, letter.

[52 FR 23982, June 26, 1987]

### § 52.834 Control strategy: Sulfur dioxide.

Approval—On April 21, 1997, the Iowa Department of Natural Resources (IDNR) submitted a maintenance plan and redesignation request for the Muscatine County nonattainment area. The maintenance plan and redesignation request satisfy all applicable requirements of the Clean Air Act.

[63 FR 13345, Mar. 19, 1998]

## Subpart R—Kansas

### § 52.869 Identification of plan—Conditional approval.

Elements of the maintenance plan revision to the State Implementation Plan (SIP) submitted by the Governor's designee on May 21, 1998, which address contingency measures for the Kansas City Ozone Maintenance Area are conditionally approved. This includes a commitment to implement the additional reductions as expeditiously as practicable. Full approval of the SIP is conditioned upon receipt of one of the following by June 28, 2000: a request from the Governor of Kansas to require the sale of Federal reformulated gasoline within the Kansas portion of the Kansas City Maintenance Area; adopted regulations implementing the contingency measures identified in the 1992 maintenance plan, i.e., Stage II Vapor Recovery or an Enhanced Inspection and Maintenance Program; or any combination of adopted regulations that will achieve the minimum volatile organic compound reductions (8.4 tons per day) required by the contingency measures identified in the 1992 SIP. In the case of options 2 or 3, upon receipt of regulations implementing these provisions and a request to amend the maintenance plan accord-

ingly, EPA will initiate a rulemaking on this subsequent revision. If the state fails to submit one of the above requirements within the time specified, the conditional approval automatically converts to a disapproval without further regulatory action.

[64 FR 28761, May 27, 1999; 64 FR 32809, June 18, 1999]

### § 52.870 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable SIP for Kansas under Section 110 of the CAA, 42 U.S.C. 7401 *et seq.* and 40 CFR Part 51 to meet NAAQS.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c), (d), and (e) of this section with an EPA approval date prior to July 1, 1998, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraphs (c), (d), and (e) of this section with the EPA approval dates after July 1, 1998, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region VII certifies that the rules/regulations provided by the EPA in the SIP compilation at the addresses in paragraph (b)(3) are an exact duplicate of the officially promulgated state rules/regulations which have been approved as part of the SIP as of July 1, 1998.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region VII, Air Planning and Development Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101; the Office of Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC; or at the EPA Air and Radiation Docket and Information Center, Air Docket (6102), 401 M Street, SW., Washington, DC 20460.

(c) *EPA-approved regulations.*